

AMENDMENTS TO THE CLAIMS

Listing of Claims:

1. (Previously presented) A method for directing transgenic expression of a nucleic acid sequence in carbohydrate-storing sink tissues of plants, which comprises the following steps:
 - I. introducing, into plant cells, a transgenic expression cassette, wherein the transgenic expression cassette comprises at least the following elements:
 - a) the promoter sequence of the gene encoding the Vicia faba plastidic 1,4- α -D-glucan:phosphate α -D-glucosyltransferase, or a fragment thereof having the same promoter activity, and
 - b) at least one further nucleic acid sequence,wherein the promoter sequence or the fragment thereof and the at least one further nucleic acid sequence are functionally linked together, and the further nucleic acid sequence is heterologous in relation to the promoter sequence,
 - II. selecting transgenic cells which comprise said expression cassette stably integrated into the genome, and
 - III. regenerating intact plants from said transgenic cells, wherein the promoter sequence or the fragment thereof directs expression of the further nucleic acid sequence in carbohydrate-storing sink tissue, but essentially not in source tissues.
2. (Previously presented) The method according to claim 1, wherein the promoter sequence comprises
 - i) the nucleotide sequence of SEQ ID NO: 1, or
 - ii) a fragment of SEQ ID NO: 1 which directs expression of a nucleic acid sequence in carbohydrate-storing sink tissues of plants.
3. (Previously presented) An isolated nucleic acid sequence comprising:
 - i) the promoter sequence of the gene of the Vicia faba plastidic 1,4- α -D-glucan:phosphate α -D-glucosyltransferase of SEQ ID NO: 1, or
 - ii) a fragment of SEQ ID NO: 1 which directs expression of a nucleic acid sequence in carbohydrate-storing sink tissues of plants.

4. (Previously presented) The isolated nucleic acid sequence according to claim 3, further comprising a nucleotide sequence encoding a transit peptide located in 3' orientation to the promoter sequence or the fragment thereof.
5. (Previously presented) The isolated nucleic acid sequence according to claim 4, wherein the nucleotide sequence encoding a transit peptide is the sequence of SEQ ID NO: 8.
6. (Previously presented) The isolated nucleic acid sequence according to claim 3, wherein the nucleic acid sequence is the sequence of SEQ ID NO: 2 or 3.
7. (Previously presented) A transgenic expression cassette for the expression of a nucleic acid comprising:
 - a) the promoter sequence of the gene encoding the *Vicia faba* plastidic 1,4- α -D-glucan:phosphate α -D-glucosyltransferase, or a fragment thereof having the same promoter activity, and
 - b) at least one further nucleic acid sequence,wherein the promoter sequence or the fragment thereof and the at least one further nucleic acid sequence are functionally linked together, and the further nucleic acid sequence is heterologous in relation to the promoter sequence or the fragment thereof; and wherein the promoter sequence or the fragment thereof directs expression of the further nucleic acid sequence in carbohydrate-storing sink tissue, but essentially not in source tissues.
8. (Previously presented) The transgenic expression cassette according to claim 7, wherein the promoter sequence comprises
 - i) the nucleotide sequence of SEQ ID NO: 1, or
 - ii) a fragment of SEQ ID NO: 1 which directs expression of a nucleic acid sequence in carbohydrate-storing sink tissues of plants.

9. (Previously presented) The transgenic expression cassette according to claim 8, where the promoter sequence is the sequence of SEQ ID NO: 2 or 3.
10. (Previously presented) The transgenic expression cassette according to claim 7, wherein the at least one further nucleic acid sequence
 - a) encodes a protein, or
 - b) transcribes a sense RNA, antisense RNA or double-stranded RNA.
11. (Previously presented) A transgenic expression vector comprising the nucleic acid sequence according to claim 3.
12. (Previously presented) A transgenic organism transformed with the transgenic expression cassette according to claim 7.
13. (Previously presented) The transgenic organism according to claim 12, selected from the group consisting of bacteria, yeasts, fungi, nonhuman animal organisms and plant organisms.
14. (Previously presented) The transgenic organism according to claim 12, selected from the group consisting of tomato, potato, aubergine, soybean, alfalfa, pea, field bean, fodder beet, sugar beet and peanut.
15. (Previously presented) A cell culture, part, organ, tissue or transgenic propagation material derived from the transgenic organism according to claim 12.
16. (Previously presented) A method for the transgenic expression of a nucleic acid comprising growing or culturing the transgenic organism according to claim 12 or cell cultures, parts, organs, tissues or transgenic propagation material derived therefrom.
17. (Cancelled).

18. (Previously presented) A method for the production of foodstuffs, feedstuffs, seed, pharmaceuticals or fine chemicals, in which the transgenic organism according to claim 12 is cultured and the desired foodstuff, feedstuff, seed, pharmaceutical or fine chemical is produced and/or isolated using said organism.

19. (Previously presented) The method of claim 1, wherein the transgenic expression cassette further comprises one or more genetic control elements.

20. (Previously presented) The transgenic expression cassette of claim 7, wherein the expression cassette further comprises one or more genetic control elements.

21. (Previously presented) A method for identifying and/or isolating a sequence which directs expression in carbohydrate-storing sink tissue, but essentially not in source tissues comprising
preparing fragments of the nucleic acid sequence of SEQ ID NO: 1;
testing the fragments obtained for carbohydrate-storing sink tissue expression; and
identifying and/or isolating a fragment with carbohydrate-storing sink tissue expression activity.

22. (Previously presented) An expression cassette for carbohydrate-storing sink tissue, but essentially not source tissues, expression in plants comprising at least one transcription regulating nucleotide sequence, wherein the transcription regulating nucleotide sequence comprises a fragment obtained by the method of claim 21.

23. (Previously presented) The expression cassette of claim 22, further comprising at least one nucleic acid sequence which is operably linked to and heterologous in relation to said transcription regulating nucleotide sequence, wherein the transcription regulating nucleotide sequence directs expression of the further nucleic acid sequence in carbohydrate-storing sink tissue, but essentially not in source tissues.

24. (Currently amended) A method for identifying and/or isolating a sequence with carbohydrate-storing sink tissue expression activity comprising
- providing the nucleic acid sequence of SEQ ID NO: 1;
 - obtaining variants of the nucleic acid sequence of SEQ ID NO: 1;
 - testing the variants obtained for carbohydrate-storing sink tissue expression; and
 - identifying and/or isolating a variant with carbohydrate-storing sink tissue expression activity[.]
- ~~wherein the variants comprise a nucleic acid sequence having at least 90% identity to SEQ ID NO: 1.~~
25. (Previously presented) An expression cassette for carbohydrate-storing sink tissue, but essentially not source tissues, expression in plants comprising at least one transcription regulating nucleotide sequence, wherein the transcription regulating nucleotide sequence comprises a variant of SEQ ID NO: 1 obtained by the method of claim 24.
26. (Previously presented) The expression cassette of claim 25, further comprising at least one nucleic acid sequence which is operably linked to and heterologous in relation to said transcription regulating nucleotide sequence, wherein the transcription regulating nucleotide sequence directs expression of the operably linked nucleic acid sequence in carbohydrate-storing sink tissue, but essentially not in source tissues.
27. (Previously presented) An expression cassette for carbohydrate-storing sink tissue, but essentially not source tissues, expression in plants comprising
- i) at least one transcription regulating nucleotide sequence, and
 - ii) at least one further nucleic acid sequence which is operably linked to and heterologous in relation to said transcription regulating nucleotide sequence,
- wherein the transcription regulating nucleotide sequence comprises
- the nucleotide sequence described by SEQ ID NOs: 1, 2, or 3, or a fragment thereof
 - having the same promoter activity as the nucleotide sequence of SEQ ID NO: 1, 2, or 3;

and wherein the transcription regulating nucleotide sequence directs expression of the further nucleic acid sequence in carbohydrate-storing sink tissue, but essentially not in source tissues.

28. (Previously presented) A method for directing carbohydrate-storing sink tissue expression in a plant comprising:

- I. introducing into a plant cell the expression cassette of claim 27,
- II. selecting a transgenic cell which comprise said expression cassette, and
- III. regenerating a plant from the transgenic cell, wherein the transcription regulating nucleotide sequence directs carbohydrate-storing sink tissue, but essentially not in source tissues, expression of the operably linked nucleic acid sequence in the plant.